

**STATE OF RHODE ISLAND  
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES**

**PUBLIC NOTICE OF PROPOSED RULE-MAKING**

In accordance with Rhode Island General Law (RIGL) 42-35 and 42-72-5, notice is hereby given that the Department of Children, Youth and Families proposes to amend the following DCYF rule:

**WORKER/CLIENT CONTACT**

This rule, formerly entitled **Family Services Worker/Client Contact**, has been amended in compliance with State Plan requirements under Title IV-E of the Social Security Act as amended by Federal law. This revised rule includes provisions of Public Law (P.L.) 109-288, Child and Family Services Improvement Act of 2006, which addresses caseworker visits for children who are in foster care and (P.L.) 109-239, Safe and Timely Interstate Placement of Foster Care Children Act of 2006 which requires the safe and timely placement of children into permanent homes across State lines. The previous version of this policy, refiled 1/5/07, is superseded by this amended version.

In the development of this rule, consideration was given to the following: (1) alternative approaches; and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This proposed rule is accessible on the R.I. Secretary of State website (<http://www.sec.state.ri.us/ProposedRules/>) and the DCYF website (<http://www.dcyf.ri.gov>) or available in hard copy upon request (401 528-3686 or RI Relay, dial 711). Interested persons should submit data, views or written comments by February 27, 2009 to Dorothy Hultine, Implementation Director for Policy & Programs, Department of Children, Youth and Families, 101 Friendship Street, Providence, RI 02903.

In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

The Department of Children, Youth and Families does not discriminate on the basis of race, color, national origin or handicap in acceptance for or provision of services or employment in its programs or activities.

Patricia Martinez, Director

# ~~Family Services~~ Worker/Client Contact

Rhode Island Department of Children, Youth and Families

**Policy: 700.0165**

Effective Date: April 10, 1989 — Revised Date: ~~February 3, 2003~~ Version: 32

Social Caseworkers in Family Services Units (FSU) and Juvenile Probation Officers are responsible to maintain regular contact, in person and by telephone, with the children and families served by the Department. In person contact with the child, the child's family and, if the child is in placement, the child's caretaker is essential in developing and maintaining effective working relationships. Through ongoing contact, the worker should assess and document whether or not:

- The child is receiving adequate care and supervision in his or her home or in out of home placement;
- The parents and child, if of appropriate age, are actively participating in ~~case plan~~service planning;
- There are effective services in place to address areas of need ~~outlined~~identified through the initial and ongoing comprehensive family assessment and service planning process to ensure the safety, permanency and well-being of the children in the Case Plan Agreement (DCYF #032);
- Progress is being made towards achieving ~~long-term positive behavioral changes individual tasks and objectives~~outlined in the Case Plan Service Plan Agreement (DCYF #032); or, if there is a lack of progress, identification of specific barriers that are impeding progress.

Additionally, when a child is in placement, the worker should address whether or not visitation and other forms of contact are occurring between the child and family, including siblings, and if the level of contact is appropriate. The worker is responsible to keep parents informed of changes made in a child's placement ~~and~~as well as to provide parents with current information regarding the child's education, health and development. Efforts must also be made to encourage a positive relationship between the child and parents and to preserve connections for a child with his or her extended family, community and culture. Frequent and consistent communication with the child and his or her caretaker is important in assessing the child's progress in placement and any ongoing issues of concern. The frequency of contact between the worker and child and the worker and the child's family is established in the Service Plan Agreement. All contacts with the child, family and caretaker must be documented in RICHIST.

~~The frequency of contact between the worker and child and the worker and the child's family is established in the Case Plan Agreement. Generally, the FSU worker should have face to face contact with the child and the child's family, at a minimum, one time each month. Certain circumstances may require more frequent or less frequent contact. In the event that the worker is unable to establish regular contact with the child or children in a family, despite repeated efforts to do so, the worker should consult with legal counsel to determine if legal action is indicated.~~

It is the Department's policy, in accordance with Federal Law (PL 109-288, Child and Family Services Improvement Act of 2006), to ensure that children in foster care are visited at least once per month, or more frequently as needed, to ensure their safety, well-being and attainment of their permanency goals. The caseworker for purposes of this mandate includes any worker that the Department has assigned (including FSU Social Casework staff, Child Support Technicians, Juvenile Probation Officers and Juvenile Probation and Parole Service Technicians) or contracted case management or visitation responsibilities. For a child placed out of state, whether in a treatment facility or foster home, the Adoption and Safe Families Act (PL 105-89) requires a minimum of one visit per year visit can be made by the a-worker from the sending state, agency

~~responsible for placing the child or the receiving state in which the child has been placed or a private agency under contract with either state. a worker from the agency in the state responsible for providing supervision of the child.~~ During this visit the worker should ensure that the placement continues to be the most appropriate and least restrictive safe setting, consistent with the best interest and special needs of the child. ~~for the child based on the child's need for a safe placement that is the least restrictive to meet the child's needs.~~

For children living at home active in FSU, the worker should have face to face contact with the child and the child's family, at a minimum, one time each month. Certain circumstances may require more frequent or less frequent contact. For youth living at home active on Probation, the worker must visit the youth and family in accordance with contact frequency standards outlined in Policy 800.0005: Juvenile Probation Supervision.

In the event that the worker is unable to establish regular contact with the child or children in a family, despite repeated efforts to do so, the worker must consult with legal counsel to determine if legal action is indicated.

### **Related Procedure**

~~Family Services~~ Worker/Client Contact

## Family Services Worker/Client Contact

### Procedure From Policy 700.0165: Family Services Worker/Client Contact

#### A. Contact with Child in Foster Care Placement

1. The ~~FSU social caseworker~~ worker should ~~must~~ have face to face in person contact at least one time per month with each child in foster care and the assigned to the worker's caseload, preferably majority of monthly visits must take place in the child's in the child's home, foster home or foster placement. ~~Generally, the worker should try to speak with the child alone.~~
2. This requirement applies to children placed away from their parents or guardians and for whom the State agency has placement and care responsibility. This includes, but is not limited to foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child-care institutions and pre-adoptive homes regardless of whether the foster care facility is licensed and whether payments are made by the State or local agency for the care of the child or whether there is Federal matching of any payments that are made.
3. The monthly visit must be well-planned and focused on issues pertinent to case planning, service delivery and goal attainment to ensure the safety, permanency and well-being of the child.
4. The monthly visit can be made by any worker that the Department has assigned (including FSU Social Casework staff, Child Support Technicians, Juvenile Probation Officers and Juvenile Probation and Parole Service Technicians) or contracted case management or visitation responsibilities.

#### B. Contact with Child at Home

1. For children living at home active in FSU, the worker should have face to face contact with the child and the child's family, at a minimum, one time each month. Certain circumstances may require more frequent or less frequent contact. There may be circumstances which require more frequent contact, such as a child/family in crisis or a recently reunified child/family, or less frequent contact, such as a child residing in an out-of-state residential treatment facility or an in-state or out-of-state institution. Additionally, a child in an Independent Living Program may need more or less frequent contact with his/her FSU worker. In these situations, the following procedures apply.
  - a. Worker and supervisor discuss the need for more or less frequent contact. Supervisor must approve all situations involving frequency of contact between the worker and child that is less than one time per month.
  - b. Frequency is established in the ~~case plan~~service plan (unless worker is visiting child more frequently on a temporary basis). Any child residing in an out of state placement must be seen by a worker from the Department or a worker from the state in which the child is residing at least one time per year.
  - c. Decisions must be documented in case activity notes in RICHIST.
2. For youth living at home active on Probation, the worker must visit the youth and family in accordance with contact frequency standards outlined in Policy 800.0005: Juvenile Probation Supervision.
3. In the event that a parent will not allow worker to have face to face contact with a child living in the home, the worker should arrange a legal consult to determine if legal action is necessary.

C. Contact with Child's Parent(s)

1. The FSU worker should see the child's parent(s) at least one time per month.
  - a. If the situation requires more or less frequent contact, worker follows procedures below:
    - i. Worker and supervisor discuss the need for more or less frequent contact. Supervisor must approve all situations involving frequency of contact between the worker and parent that is less than one time per month.
    - ii. Frequency is established in the service plan unless worker is visiting child more frequently on a temporary basis.
  - b. Parent(s) must be kept informed of changes in a child's placement and should be provided with current information regarding the child's education, health and development.
2. The Probation worker must visit the parent(s) in accordance with contact frequency standards outlined in Policy 800.0005: Juvenile Probation Supervision.

D. Contact with Child's Caretaker (Child in Placement)

1. The ~~FSU~~ worker should see the child's caretaker, at least for a short period of time, each time the worker sees the child.
2. Worker ~~should~~ must keep the child's caretaker informed of the child's visitation schedule, upcoming court hearings and other information necessary to safely and appropriately care for the child in placement. The DCYF #187, Guide to Sharing Information outlines the types of information that can be shared with caretakers. The worker is encouraged to use this guide and provide it to the caretaker.

E. Telephone Contact

1. Worker provides the child, if of appropriate age, with the worker's office address and telephone number and the name, office address and telephone number of the supervisor and administrator.
2. Worker provides parents, and, if appropriate, members of the extended family with the worker's office address and telephone number and the name, office address and telephone number of the supervisor and administrator. Parents and appropriate extended family members should be encouraged to have frequent telephone contact with the worker.
3. Worker provides caretaker with the office address and telephone number of the worker and the name, office address and telephone number of the supervisor and administrator. Caretaker should be encouraged to maintain frequent contact with the worker regarding the child's progress in placement.

F. Each contact with the child, the child's family and, if the child is in placement, the child's caretaker must be documented in a Case Activity Note in RICHIST.

1. Documentation should include a description of subjects discussed.
2. Documentation for an in person contact should include the names of individuals present during the visit.
3. Documentation of monthly caseworker visits must address issues pertinent to service planning, service delivery and goal attainment to ensure the safety, permanency and well-being of the child (refer to RICHIST Window Help, Case Activity Notes, Monthly Caseworker Visits).